

# **EXHIBIT C**

**From:** [Rosen, Marilyn B.](#)  
**To:** [Ennis, Felicia](#); [Petts, Nicholas W.](#); [Senderowitz, Stephen J.](#); [Storino, Timothy J.](#); [Hauser, Sandra D.](#)  
**Cc:** [Pollack, Alan](#); [Thumim, Leron](#); [Filardo, Thomas](#); [Marcucci, Matthew A.](#); [Hallinan, Meghan](#); [Lynn, Branden](#); [Manzollilo, Sandy](#); [James W. \(Wes\) Christian \(jchristian@christianattarlaw.com\)](#); [Ardalan Attar](#); [Gregory J. Dubinsky](#); [Andrew C. Indorf](#); [Matthew Gurgel](#); [Abby F. Rudzin Esq. \(arudzin@omm.com\)](#); [wmartin@omm.com](#); [SYoung@KSLAW.com](#); [dlessner@kslaw.com](#); [jdycus@kslaw.com](#); [Cchoi@Kslaw.com](#)  
**Subject:** Re: Harrington v. CIBC - CIBC Deposition Notices  
**Date:** Friday, May 17, 2024 7:49:48 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

---

Felicia,

It is not an "accommodation" to take the depositions in Toronto--that is where the witnesses reside and where CIBC's principal place of business is located. As you know, CIBC does not have a US based entity in this litigation.

Despite the incredibly short notice, we provided dates within one day of those originally requested. These are the dates the witnesses are available. They are not available on the other dates you have suggested. If Harrington would prefer to take one or both depositions remotely, it may do so.

Please confirm you will proceed on the 3rd and 5th.

Thank you.  
--Marilyn

**Marilyn B. Rosen**  
Partner

 +1 312 876 7425  
**Chicago**

---

**From:** Ennis, Felicia <FEnnis@wbny.com>  
**Sent:** Friday, May 17, 2024 5:34:00 PM  
**To:** Rosen, Marilyn B. <marilyn.rosen@dentons.com>; Petts, Nicholas W. <nicholas.petts@dentons.com>; Senderowitz, Stephen J. <stephen.senderowitz@dentons.com>; Storino, Timothy J. <timothy.storino@dentons.com>; Hauser, Sandra D. <sandra.hauser@dentons.com>  
**Cc:** Pollack, Alan <APollack@wbny.com>; Thumim, Leron <lthumim@wbny.com>; Filardo, Thomas <TFilardo@wbny.com>; Marcucci, Matthew A. <MMarcucci@wbny.com>; Hallinan, Meghan <MHallinan@wbny.com>; Lynn, Branden <BLynn@wbny.com>; Manzollilo, Sandy <smanzollilo@wbny.com>; James W. (Wes) Christian (jchristian@christianattarlaw.com) <jchristian@christianattarlaw.com>; Ardalan Attar <aattar@christianattarlaw.com>; Gregory J. Dubinsky <gdubinsky@hsgllp.com>; Andrew C. Indorf <aindorf@hsgllp.com>; Matthew Gurgel <mgurgel@hsgllp.com>; Abby F. Rudzin Esq. (arudzin@omm.com) <arudzin@omm.com>; wmartin@omm.com <wmartin@omm.com>; dlessner@kslaw.com <dlessner@kslaw.com>; jdycus@kslaw.com <jdycus@kslaw.com>; Cchoi@Kslaw.com <Cchoi@Kslaw.com>; SYoung@KSLAW.com <SYoung@KSLAW.com>

**Subject:** RE: Harrington v. CIBC - CIBC Deposition Notices

**[WARNING: EXTERNAL SENDER]**

We are unavailable on June 3 to conduct a deposition in Toronto. As previously stated, we are willing to accommodate CIBC's request to conduct depositions in Toronto if both depositions are conducted on consecutive days in order of Harrington's notices. If Mr. Persaud is unavailable on Thursday, June 6, please confirm whether Mr. Rashid is available instead. We can conduct Mr. Persaud's deposition on Friday June 7.



**Felicia Ennis | Partner**  
**Warshaw Burstein, LLP**

575 Lexington Avenue, 7<sup>th</sup> Floor  
New York, NY 10022 · [www.wbny.com](http://www.wbny.com)  
d 212-984-7753 | f 212-972-9150  
E-Mail: [Fennis@wbny.com](mailto:Fennis@wbny.com)



This email and any attachments are solely for the confidential use of the intended recipient. If you are not the intended recipient, please do not read, distribute or act in reliance on it or any attachments. If you received this email by mistake, please notify us immediately by email, and promptly delete this email and any attachments.

The attorney-client and work product privileges are not waived by the transmission of this email.

**From:** Rosen, Marilyn B. <marilyn.rosen@dentons.com>

**Sent:** Friday, May 17, 2024 5:57 PM

**To:** Ennis, Felicia <Fennis@wbny.com>; Petts, Nicholas W. <nicholas.petts@dentons.com>; Senderowitz, Stephen J. <stephen.senderowitz@dentons.com>; Storino, Timothy J.

<timothy.storino@dentons.com>; Hauser, Sandra D. <sandra.hauser@dentons.com>

**Cc:** Pollack, Alan <APollack@wbny.com>; Thumim, Leron <lthumim@wbny.com>; Filardo, Thomas <TFilardo@wbny.com>; Marcucci, Matthew A. <MMarcucci@wbny.com>; Hallinan, Meghan <MHallinan@wbny.com>; Lynn, Branden <BLynn@wbny.com>; Manzolillo, Sandy <smanzolillo@wbny.com>; James W. (Wes) Christian (jchristian@christianattarlaw.com)

<jchristian@christianattarlaw.com>; Ardalan Attar <aattar@christianattarlaw.com>; Gregory J. Dubinsky <gdubinsky@hsgllp.com>; Andrew C. Indorf <aindorf@hsgllp.com>; Matthew Gurgel <mgurgel@hsgllp.com>; Abby F. Rudzin Esq. (arudzin@omm.com) <arudzin@omm.com>; wmartin@omm.com; dlessler@kslaw.com; jdycus@kslaw.com; Cchoi@Kslaw.com;

SYoung@KSLAW.com

**Subject:** RE: Harrington v. CIBC - CIBC Deposition Notices

Felicia –

We have worked to accommodate your scheduling requests but cannot make further adjustments to the schedule. These are the dates the witnesses and counsel are available.

Thank you,



Marilyn

**Marilyn B. Rosen**

Partner

 +1 312 876 7425

Chicago

---

**From:** Ennis, Felicia <FEnnis@wbny.com>

**Sent:** Friday, May 17, 2024 4:33 PM

**To:** Rosen, Marilyn B. <marilyn.rosen@dentons.com>; Petts, Nicholas W. <nicholas.petts@dentons.com>; Senderowitz, Stephen J. <stephen.senderowitz@dentons.com>; Storino, Timothy J. <timothy.storino@dentons.com>; Hauser, Sandra D. <sandra.hauser@dentons.com>

**Cc:** Pollack, Alan <APollack@wbny.com>; Thumim, Leron <lthumim@wbny.com>; Filardo, Thomas <TFilardo@wbny.com>; Marcucci, Matthew A. <MMarcucci@wbny.com>; Hallinan, Meghan <MHallinan@wbny.com>; Lynn, Branden <BLynn@wbny.com>; Manzollillo, Sandy <smanzollillo@wbny.com>; James W. (Wes) Christian (jchristian@christianattarlaw.com) <jchristian@christianattarlaw.com>; Ardalan Attar <aattar@christianattarlaw.com>; Gregory J. Dubinsky <gdubinsky@hsgllp.com>; Andrew C. Indorf <aindorf@hsgllp.com>; Matthew Gurgel <mgurgel@hsgllp.com>; Abby F. Rudzin Esq. (arudzin@omm.com) <arudzin@omm.com>; wmartin@omm.com; dlessner@kslaw.com; jdycus@kslaw.com; Cchoi@Kslaw.com; SYoung@KSLAW.com

**Subject:** RE: Harrington v. CIBC - CIBC Deposition Notices

**[WARNING: EXTERNAL SENDER]**

---

Thanks Marilyn. We understand the scheduling challenges and we are also being accommodating by agreeing to conduct depositions in Toronto. However, we will need to conduct the depositions on consecutive days and in the order that they were noticed by Harrington. Since Mr. Rashid is available on June 5, please confirm whether Mr. Persaud is available on June 6 or provide alternate consecutive dates for the week of June 3<sup>rd</sup>. Thanks.



**Felicia Ennis | Partner**  
**Warsaw Burstein, LLP**

575 Lexington Avenue, 7<sup>th</sup> Floor  
New York, NY 10022 · [www.wbny.com](http://www.wbny.com)  
d 212-984-7753 | f 212-972-9150  
E-Mail: [Fennis@wbny.com](mailto:Fennis@wbny.com)



This email and any attachments are solely for the confidential use of the intended recipient. If you are not the intended recipient, please do not read, distribute or act in reliance on it or any attachments. If you received this email by mistake, please notify us immediately by email, and promptly delete this email and any attachments.

The attorney-client and work product privileges are not waived by the transmission of this email.

---

**From:** Rosen, Marilyn B. <[marilyn.rosen@dentons.com](mailto:marilyn.rosen@dentons.com)>

**Sent:** Friday, May 17, 2024 4:00 PM

**To:** Ennis, Felicia <[FEnnis@wbny.com](mailto:FEnnis@wbny.com)>; Petts, Nicholas W. <[nicholas.petts@dentons.com](mailto:nicholas.petts@dentons.com)>; Senderowitz, Stephen J. <[stephen.senderowitz@dentons.com](mailto:stephen.senderowitz@dentons.com)>; Storino, Timothy J. <[timothy.storino@dentons.com](mailto:timothy.storino@dentons.com)>; Hauser, Sandra D. <[sandra.hauser@dentons.com](mailto:sandra.hauser@dentons.com)>  
**Cc:** Pollack, Alan <[APollack@wbny.com](mailto:APollack@wbny.com)>; Thumim, Leron <[lthumim@wbny.com](mailto:lthumim@wbny.com)>; Filardo, Thomas <[TFilardo@wbny.com](mailto:TFilardo@wbny.com)>; Marcucci, Matthew A. <[MMarcucci@wbny.com](mailto:MMarcucci@wbny.com)>; Hallinan, Meghan <[MHallinan@wbny.com](mailto:MHallinan@wbny.com)>; Lynn, Branden <[BLynn@wbny.com](mailto:BLynn@wbny.com)>; Manzillo, Sandy <[smanzillo@wbny.com](mailto:smanzillo@wbny.com)>; James W. (Wes) Christian ([jchristian@christianattarlaw.com](mailto:jchristian@christianattarlaw.com)) <[jchristian@christianattarlaw.com](mailto:jchristian@christianattarlaw.com)>; Ardalan Attar <[aattar@christianattarlaw.com](mailto:aattar@christianattarlaw.com)>; Gregory J. Dubinsky <[gdubinsky@hsgllp.com](mailto:gdubinsky@hsgllp.com)>; Andrew C. Indorf <[aindorf@hsgllp.com](mailto:aindorf@hsgllp.com)>; Matthew Gurgel <[mgurgel@hsgllp.com](mailto:mgurgel@hsgllp.com)>; Abby F. Rudzin Esq. ([arudzin@omm.com](mailto:arudzin@omm.com)) <[arudzin@omm.com](mailto:arudzin@omm.com)>; [wmartin@omm.com](mailto:wmartin@omm.com); [dlessner@kslaw.com](mailto:dlessner@kslaw.com); [jdycus@kslaw.com](mailto:jdycus@kslaw.com); [Cchoi@Kslaw.com](mailto:Cchoi@Kslaw.com); [SYoung@KSLAW.com](mailto:SYoung@KSLAW.com)

**Subject:** RE: Harrington v. CIBC - CIBC Deposition Notices

Felicia,

Mr. Persaud's deposition can proceed on Monday, June 3, and Mr. Rashid's deposition on June 5, both in Toronto. Please confirm if these dates work for you.

We were attempting to be accommodating by providing a location for the deposition in Toronto. If you prefer to use a different space, feel free to do so.

Thank you,  
Marilyn

Marilyn B. Rosen  
Partner

 [+1 312 876 7425](tel:+13128767425)

[Chicago](#)

---

**From:** Ennis, Felicia <[FEnnis@wbny.com](mailto:FEnnis@wbny.com)>

**Sent:** Thursday, May 16, 2024 5:45 PM



**To:** Rosen, Marilyn B. <[marilyn.rosen@dentons.com](mailto:marilyn.rosen@dentons.com)>; Petts, Nicholas W. <[nicholas.petts@dentons.com](mailto:nicholas.petts@dentons.com)>; Senderowitz, Stephen J. <[stephen.senderowitz@dentons.com](mailto:stephen.senderowitz@dentons.com)>; Storino, Timothy J. <[timothy.storino@dentons.com](mailto:timothy.storino@dentons.com)>; Hauser, Sandra D. <[sandra.hauser@dentons.com](mailto:sandra.hauser@dentons.com)>

**Cc:** Pollack, Alan <[APollack@wbny.com](mailto:APollack@wbny.com)>; Thumim, Leron <[lthumim@wbny.com](mailto:lthumim@wbny.com)>; Filardo, Thomas <[TFilardo@wbny.com](mailto:TFilardo@wbny.com)>; Marcucci, Matthew A. <[MMarcucci@wbny.com](mailto:MMarcucci@wbny.com)>; Hallinan, Meghan <[MHallinan@wbny.com](mailto:MHallinan@wbny.com)>; Lynn, Branden <[BLynn@wbny.com](mailto:BLynn@wbny.com)>; Manzollillo, Sandy <[smanzollillo@wbny.com](mailto:smanzollillo@wbny.com)>; James W. (Wes) Christian ([jchristian@christianattarlaw.com](mailto:jchristian@christianattarlaw.com)) <[jchristian@christianattarlaw.com](mailto:jchristian@christianattarlaw.com)>; Ardalan Attar <[aattar@christianattarlaw.com](mailto:aattar@christianattarlaw.com)>; Gregory J. Dubinsky <[gdubinsky@hsgllp.com](mailto:gdubinsky@hsgllp.com)>; Andrew C. Indorf <[aindorf@hsgllp.com](mailto:aindorf@hsgllp.com)>; Matthew Gurgel <[mgurgel@hsgllp.com](mailto:mgurgel@hsgllp.com)>; Abby F. Rudzin Esq. ([arudzin@omm.com](mailto:arudzin@omm.com)) <[arudzin@omm.com](mailto:arudzin@omm.com)>; [wmartin@omm.com](mailto:wmartin@omm.com); [dlessler@kslaw.com](mailto:dlessler@kslaw.com); [jdykus@kslaw.com](mailto:jdykus@kslaw.com); [Cchoi@Kslaw.com](mailto:Cchoi@Kslaw.com); [SYoung@KSLAW.com](mailto:SYoung@KSLAW.com)

**Subject:** RE: Harrington v. CIBC - CIBC Deposition Notices

**[WARNING: EXTERNAL SENDER]**

Marilyn:

Since Mr. Rashid is available on Wednesday, June 5, please let us know if Mr. Persaud is available on Thursday, June 6. We are not available on May 29. We also do not agree that if CIBC insists on depositions to be held in Toronto, Harrington is required to conduct them at Dentons' Toronto office. Please confirm the availability of CIBC's witnesses on these dates.

Regards,



**Felicia Ennis | Partner**  
**Warshaw Burstein, LLP**

575 Lexington Avenue, 7<sup>th</sup> Floor  
New York, NY 10022 · [www.wbny.com](http://www.wbny.com)  
d 212-984-7753 | f 212-972-9150  
E-Mail: [Fennis@wbny.com](mailto:Fennis@wbny.com)



This email and any attachments are solely for the confidential use of the intended recipient. If you are not the intended recipient, please do not read, distribute or act in reliance on it or any attachments. If you received this email by mistake, please notify us immediately by email, and promptly delete this email and any attachments.

The attorney-client and work product privileges are not waived by the transmission of this email.

---

**From:** Rosen, Marilyn B. <[marilyn.rosen@dentons.com](mailto:marilyn.rosen@dentons.com)>

**Sent:** Thursday, May 16, 2024 6:14 PM

**To:** Ennis, Felicia <[FEnnis@wbny.com](mailto:FEnnis@wbny.com)>; Petts, Nicholas W. <[nicholas.petts@dentons.com](mailto:nicholas.petts@dentons.com)>; Senderowitz, Stephen J. <[stephen.senderowitz@dentons.com](mailto:stephen.senderowitz@dentons.com)>; Storino, Timothy J. <[timothy.storino@dentons.com](mailto:timothy.storino@dentons.com)>; Hauser, Sandra D. <[sandra.hauser@dentons.com](mailto:sandra.hauser@dentons.com)>

**Cc:** Pollack, Alan <[APollack@wbny.com](mailto:APollack@wbny.com)>; Thumim, Leron <[lthumim@wbny.com](mailto:lthumim@wbny.com)>; Filardo, Thomas

<TFilardo@wbny.com>; Marcucci, Matthew A. <MMarcucci@wbny.com>; Hallinan, Meghan <MHallinan@wbny.com>; Lynn, Branden <BLynn@wbny.com>; Manzollillo, Sandy <smanzollillo@wbny.com>; James W. (Wes) Christian (<jchristian@christianattarlaw.com>) <jchristian@christianattarlaw.com>; Ardan Attar <aattar@christianattarlaw.com>; Gregory J. Dubinsky <gdubinsky@hsgllp.com>; Andrew C. Indorf <aindorf@hsgllp.com>; Matthew Gurgel <mgurgel@hsgllp.com>; Abby F. Rudzin Esq. (<arudzin@omm.com>) <arudzin@omm.com>; <wmartin@omm.com>; <dlessner@kslaw.com>; <jdycus@kslaw.com>; <Cchoi@Kslaw.com>; <SYoung@KSLAW.com>

**Subject:** RE: Harrington v. CIBC - CIBC Deposition Notices

Felicia –

Mr. Persaud is available to be deposed on Wednesday, May 29. Mr. Rashid is available to be deposed on June 5. Both depositions will be at the Dentons Toronto office, 77 King Street W, Suite 400, Toronto.

CIBC does not agree that these depositions are “subject to” further document productions.

Please confirm that Harrington will proceed on these dates in Toronto.

Thank you,  
Marilyn

**Marilyn B. Rosen**  
Partner

 +1 312 876 7425

[Chicago](#)

---

**From:** Ennis, Felicia <FEnnis@wbny.com>

**Sent:** Thursday, May 16, 2024 5:08 PM

**To:** Rosen, Marilyn B. <marilyn.rosen@dentons.com>; Petts, Nicholas W. <nicholas.petts@dentons.com>; Senderowitz, Stephen J. <stephen.senderowitz@dentons.com>; Storino, Timothy J. <timothy.storino@dentons.com>; Hauser, Sandra D. <sandra.hauser@dentons.com>

**Cc:** Pollack, Alan <APollack@wbny.com>; Thumim, Leron <lthumim@wbny.com>; Filardo, Thomas <TFilardo@wbny.com>; Marcucci, Matthew A. <MMarcucci@wbny.com>; Hallinan, Meghan <MHallinan@wbny.com>; Lynn, Branden <BLynn@wbny.com>; Manzollillo, Sandy <smanzollillo@wbny.com>; James W. (Wes) Christian (<jchristian@christianattarlaw.com>) <jchristian@christianattarlaw.com>; Ardan Attar <aattar@christianattarlaw.com>; Gregory J.



Dubinsky <[gdubinsky@hsgllp.com](mailto:gdubinsky@hsgllp.com)>; Andrew C. Indorf <[aindorf@hsgllp.com](mailto:aindorf@hsgllp.com)>; Matthew Gurgel <[mgurgel@hsgllp.com](mailto:mgurgel@hsgllp.com)>; Abby F. Rudzin Esq. ([arudzin@omm.com](mailto:arudzin@omm.com)) <[arudzin@omm.com](mailto:arudzin@omm.com)>; [wmartin@omm.com](mailto:wmartin@omm.com); [dlessner@kslaw.com](mailto:dlessner@kslaw.com); [jdycus@kslaw.com](mailto:jdycus@kslaw.com); [Cchoi@Kslaw.com](mailto:Cchoi@Kslaw.com); [SYoung@KSLAW.com](mailto:SYoung@KSLAW.com)

**Subject:** Harrington v. CIBC - CIBC Deposition Notices

**[WARNING: EXTERNAL SENDER]**

---

Counsel:

Subject to CIBC's production of those documents referenced in Drew's earlier email and subject to any further court rulings, including the forthcoming motion for extension, Harrington would like to confirm the depositions of Sajjad Rashid on June 4, 2024 and Ron Persaud on June 5, 2024, both at Warshaw Burstein's office. Please advise.

Regards,



**Felicia Ennis | Partner**  
**Warshaw Burstein, LLP**

575 Lexington Avenue, 7<sup>th</sup> Floor  
New York, NY 10022 · [www.wbny.com](http://www.wbny.com)  
d 212-984-7753 | f 212-972-9150  
E-Mail: [Fennis@wbny.com](mailto:Fennis@wbny.com)



This email and any attachments are solely for the confidential use of the intended recipient. If you are not the intended recipient, please do not read, distribute or act in reliance on it or any attachments. If you received this email by mistake, please notify us immediately by email, and promptly delete this email and any attachments.

The attorney-client and work product privileges are not waived by the transmission of this email.

---

NOTICE: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If you are not the intended recipient of this message, or the employee or agent responsible for delivering this message to the intended recipient, you are advised that any dissemination, distribution or copying of this message, or acting on the information contained herein, may be a violation of applicable law and is strictly prohibited. If you have received this message in error, please notify the sender immediately by replying to this message.

---

NOTICE: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If you are not the intended recipient of this message, or the employee or agent responsible for delivering this message to the intended recipient, you are advised that any dissemination, distribution or copying of this message, or acting on the information contained herein, may be a violation of applicable law and is strictly prohibited. If you have received this message in error, please notify the sender immediately by replying to this message.



---

NOTICE: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If you are not the intended recipient of this message, or the employee or agent responsible for delivering this message to the intended recipient, you are advised that any dissemination, distribution or copying of this message, or acting on the information contained herein, may be a violation of applicable law and is strictly prohibited. If you have received this message in error, please notify the sender immediately by replying to this message.

---

NOTICE: This message is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If you are not the intended recipient of this message, or the employee or agent responsible for delivering this message to the intended recipient, you are advised that any dissemination, distribution or copying of this message, or acting on the information contained herein, may be a violation of applicable law and is strictly prohibited. If you have received this message in error, please notify the sender immediately by replying to this message.